

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
FLM-5687

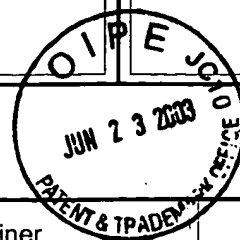
In Re Application Of: Michael T.K. Ling et al.

Serial No.  
09/756,490

Filing Date  
January 8, 2001

Examiner  
Sandra M. Nolan

Group Art Unit  
1772



Invention:

**PORT TUBE AND CLOSURE STRUCTURE AND ASSEMBLY FOR A FLOWABLE MATERIAL CONTAINER**

TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

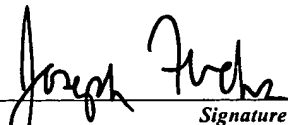
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

Joseph A. Fuchs, Reg. No. 34,604  
BELL, BOYD & LLOYD LLC  
P.O. Box 1135  
Chicago, IL 60690-1135  
Tel: (312) 807-4335

Dated: June 18, 2003

**Certificate of Mailing by First Class Mail**

I certify that this document is being deposited on  
June 18, 2003, with the U.S. Postal Service as first  
class mail under 37 CFR 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

  
Signature of Person Mailing Correspondence

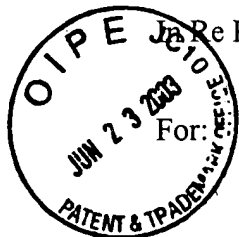
Robert J. Buccieri

Typed or Printed Name of Person Mailing Correspondence

CC:

#13  
7/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Patent Application Of:  
Michael T.K. Ling et al.  
For: PORT TUBE AND CLOSURE,  
STRUCTURE AND ASSEMBLY  
FOR A FLOWABLE MATERIAL  
CONTAINER

Serial No.: 09/756,490  
Filed: January 8, 2001  
Examiner: Sandra M. Nolan  
Art Unit: 1772  
Conf. No. 4232

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited  
with the United States Postal Office with  
sufficient postage as first class mail in an  
envelope addressed to: Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22202 on June  
18, 2003

Robert J. Buccieri

**SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

RECEIVED  
JUN 02 2003  
TC 1700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22202

Sir:

Pursuant to 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, a document is disclosed on the attached form PTO-1449 that may be material to the examination of this application. A copy of the document is enclosed herewith for the Examiner's consideration. No inference should be drawn that the citation represents a comprehensive investigation of the prior art; that any or all are pertinent to the invention; or that any apparatus disclosed is equivalent to the subject invention. Applicants request that a citation and examination of the reference cited on the attached PTO-1449 form be made during the course of examination of the above-identified application for United States patent.

The enclosed reference was cited in the Written Opinion mailed May 21, 2003, in corresponding PCT Application No. PCT/US 02/00299, a copy of which is enclosed. Applicant does not believe any additional fee is due in connection with this Second Supplemental Information Disclosure Statement, however, the Commissioner is hereby authorized to change

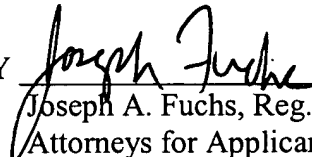
any additional fees (or credit any overpayment) to Deposit Account No. 02-1818. A duplicate of this sheet is enclosed for that purpose.

The identified patent does not suggest or make obvious the claimed invention. Hence, allowance of the pending application is respectfully requested.

Respectfully submitted,  
BELL, BOYD & LLOYD LLC

Date: June 18, 2003

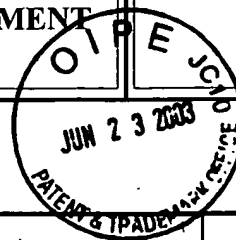
BY

  
\_\_\_\_\_  
Joseph A. Fuchs, Reg. No. 34,604  
Attorneys for Applicant  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4335

1772

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
FLM-5687



In Re Application Of: Michael T.K. Ling et al.

Serial No.  
09/756,490

Filing Date  
January 8, 2001

Examiner  
Sandra M. Nolan

Group Art Unit  
1772

Title:

**PORT TUBE AND CLOSURE STRUCTURE AND ASSEMBLY FOR A FLOWABLE MATERIAL CONTAINER**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

**OR**

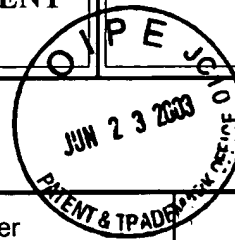
☐ the fee set forth in 37 CFR 1.17(p).

**RECEIVED**  
JUN 02 2003  
TC 1700

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
FLM-5687

In Re Application: Michael T.K. Ling et al.



Serial No.

09/756,490

Filing Date

January 8, 2001

Examiner

Sandra M. Nolan

Group Art Unit

1772

**PORT TUBE AND CLOSURE STRUCTURE AND ASSEMBLY FOR A FLOWABLE MATERIAL**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on June 18, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Robert J. Buccieri

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

Joseph A. Fuchs, Reg. No. 34,604  
BELL, BOYD & LLOYD LLC  
P.O. Box 1135  
Chicago, IL 60690-1135  
(312) 807-4335

Dated: June 18, 2003

CC: